

REISSUE APPLICATION DECLARATION BY THE INVENTORDocket Number (Optional)
344742000530

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,961,672, granted October 5, 1999, and for which a reissue patent is sought on the invention entitled **STABILIZED ANODE FOR LITHIUM-POLYMER BATTERIES** the specification of which

☒ is attached hereto.

☐ was filed on * as reissue application number * and was amended on *.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

As one instance of claiming less than I had a right to claim, claim 1 as issued required the socket portion "interior volume expandable and contractable." The limitation that the "interior volume" be "contractable" is unnecessary.

All errors are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the applicant.

[Page 1 of 2]

Burden Hour Statement This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.

REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2

Docket Number (Optional)
 344742000530

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s) _____ Registration Number _____
 See attached Prosecution by Assignee and Power of Attorney _____

Correspondence Address: Direct all communications about the application to:

☒ Customer Number

Type Customer Number here



Place Customer Number Bar
 Code Label here
 23226
 PATENT TRADEMARK OFFICE

☒ Firm or
 Individual Name

Madeline I. Johnston

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Address

City

Palo Alto

State

California

Zip

94304-1018

Country

United States of America

Telephone

(650) 813-5840

Fax

(650) 494-0792

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Terje A. SKOTHEIM

Inventor's signature

Date

Residence

7080 N. Cathedral Rock Place, Tucson, Arizona 85718

Citizenship

Norway.

Mailing Address

7080 N. Cathedral Rock Place, Tucson, Arizona 85718

Full name of second joint inventor (given name, family name)

Grigori L. SOLOVEICHIK

Inventor's signature

Date

Residence

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Citizenship

Russia

Mailing Address

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Full name of third joint inventor (given name, family name)

Alexei B. GAVRILOV

Inventor's signature

Date

Residence

47 Whitebrook Rise, Fairport, NY 14450

Citizenship

Russia

Mailing Address

47 Whitebrook Rise, Fairport, NY 14450

☐ Additional joint inventors are named on separately numbered sheets attached hereto.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Terje A. SKOTHEIM et al.

Reissue of Patent No: 5,961,672

Serial No.: To Be Assigned

Filing Date: Herewith

For: STABILIZED ANODE FOR LITHIUM-
POLYMER BATTERIES

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

**PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY
UNDER 37 C.F.R. § 3.71**

Box Reissue
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Moltech Corporation, the assignee of the entire right, title and interest in this reissue application, under 37 C.F.R. § 3.71 hereby appoints:

| | |
|---|-------------------------------------|
| Laurie A. Axford (Reg No. 35,053) | Sanjay S. Bagade (Reg No. 42,280) |
| Joseph Barrera (Reg No. 44,522) | Erwin J. Basinski (Reg No. 34,773) |
| Shantanu Basu (Reg No. 43,318) | Richard R. Batt (Reg No. 43,485) |
| Frank P. Becking (Reg No. 42,309) | Vincent J. Belusko (Reg No. 30,820) |
| Jonathan Bockman (Reg No. 45,640) | Kimberly A. Bolin (Reg No. 44,546) |
| Barry E. Bretschneider (Reg No. 28,055) | Tyler S. Brown (Reg No. 36,465) |
| Nicholas Buffinger (Reg No. 39,124) | A. Randall Camacho (Reg No. 46,595) |
| Mark R. Carter (Reg No. 39,131) | Robert K. Cerpa (Reg No. 39,933) |
| Peng Chen (Reg No. 43,543) | Thomas Chuang (Reg No. P-44,616) |
| Thomas E. Ciotti (Reg No. 21,013) | Cara M. Coburn (Reg No. 46,631) |
| Matthew M. D'Amore (Reg No. 42,457) | Raj S. Davé (Reg No. 42,465) |
| Peter Davis (Reg No. 36,119) | Stephen C. Durant (Reg No. 31,506) |
| Carolyn A. Favorito (Reg No. 39,183) | David L. Fehrman (Reg No. 28,600) |
| Hector Gallegos (Reg No. 40,614) | Debra J. Glaister (Reg No. 33,888) |
| Kenneth R. Glick (Reg No. 28,612) | Johney U. Han (Reg No. 45,565) |
| Douglas G. Hodder (Reg No. 41,840) | Charles D. Holland (Reg No. 35,196) |

Peter Hsieh (Reg No. P-44,780)
Madeline I. Johnston (Reg No. 36,174)
Parisa Jorjani (Reg No. 46,813)
Richard C. Kim (Reg No. 40,046)
Kawai Lau (Reg No. 44,461)
Lisa E. Marks (Reg No. 44,901)
Gladys H. Monroy (Reg No. 32,430)
Kate H. Murashige (Reg No. 29,959)
Irene T. Pleasure (Reg No. 45,506)
Paul J. Riley (Reg No. 38,596)
Debra A. Shetka (Reg No. 33,309)
Rebecca Shortle (Reg No. 47,083)
Stanley H. Thompson (Reg No. 45,160)
E. Thomas Wheelock (Reg No. 28,825)
Thomas G. Wiseman (Reg No. 35,046)
David T. Yang (Reg No. 44,415)
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Ararat Kapouytian (Reg No. 40,044)
Cameron A. King (Reg No. 41,897)
Rimas T. Lukas (Reg No. 46,451)
Michael J. Mauriel (Reg No. 44,226)
Philip A. Morin (Reg No. P-45,926)
Martin M. Noonan (Reg No. 44,264)
Catherine M. Polizzi (Reg No. 40,130)
Robert Saltzberg (Reg No. 36,910)
Terri Shieh-Newton (Reg No. 47,081)
Kevin R. Spivak (Reg No. 43,148)
Michael R. Ward (Reg No. 38,651)
Todd W. Wight (Reg No. 45,218)
Frank Wu (Reg No. 41,386)
Peter J. Yim (Reg No. 44,417)
Karen R. Zachow (Reg No. 46,332)

all of Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018, telephone (650) 813-5600, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

Please recognize the following attorneys or agents:

Jacqueline M. Nicol (Reg. No. 44,973)

whose address is Moltech Corporation, 9062 South Rita Road, Tucson, Arizona, 85747-9108, telephone number is (520) 799-7500, and

Steven A. Carlson (Reg. No. 39,127)

whose address is Sampson & Associates, P.C., 50 Congress Street, Boston, MA 02109, telephone number (617) 557-2900.

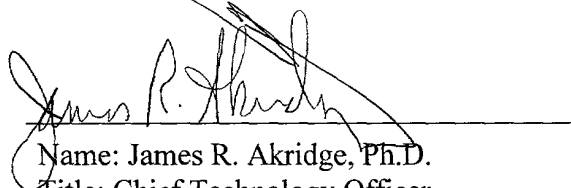
Please direct all written communications relative to this application to:

Madeline I. Johnston
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018

Please direct all telephone communications to Madeline I. Johnston at (650) 813-5840.

Moltech Corporation
a Delaware corporation

Dated: January 2, 2001


Name: James R. Akridge, Ph.D.
Title: Chief Technology Officer
Address: 9062 S. Rita Road
Tucson, Arizona 85747

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REISSUE APPLICATION: CONSENT OF ASSIGNEE;
STATEMENT OF NON-ASSIGNMENT**

Docket No. 344742000530

This is part of the application for reissue patent based on the original patent identified below.

Name of Patentee(s): Terje A. SKOTHEIM, Grigori L. SOLOVEICHNIK, and Alexei B. GAVRILOV

Patent Number: 5,961,672

Date Patent Issued: October 5, 1999

Title of Invention: STABILIZED ANODE FOR LITHIUM-POLYMER BATTERIES

1 ☒ Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)2. ☐ Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.

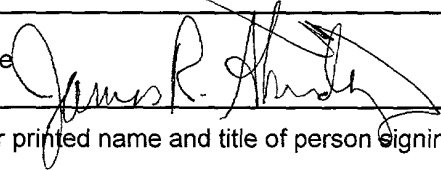
One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".

The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.

The assignee(s) owning an undivided interest in said original patent is/are Moltech Corporation, and the assignee(s) consents to the accompanying application for reissue.

Name of assignee/inventor (if not assigned):

Signature



Date January 23, 2001

Typed or printed name and title of person signing for assignee (if assigned)

James R. Akridge, Ph.D., Chief Technology Officer

Burden Hour Statement This form is estimated to take 0.1 hours to complete. time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)Docket No. **344742000530**
Client Ref. No.

In the application of: **Terje A. Skotheim, Grigorii L. Soloveichik, and Alexei B. Gavrilov**
 Reissue of Patent No.: **5,961,672**
 Filed: **Herewith**
 For: **STABILIZED ANODE FOR LITHIUM-POLYMER BATTERIES**

Moltech Corporation, a corporation duly organized under and pursuant to the laws of Delaware, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 8774, Frame 0727.

OR

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From :
To:

The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

2. From :
To:

The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

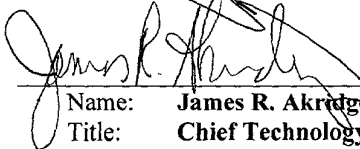
☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 23 January 2001


 Name: **James R. Akridge**
 Title: **Chief Technology Officer**
 Address: **Moltech Corporation**
9062 S. Rita Road,
Tucson, Arizona 85747

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL569253127US

Date of Deposit: January 24, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.


Tatania Grollman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Terje A. SKOTHEIM et al.

Reissue of Patent No.: 5,961,672

Serial No.: To Be Assigned

Filing Date: Herewith

For: STABILIZED ANODE FOR LITHIUM-
POLYMER BATTERIES

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

STATEMENT UNDER 37 C.F.R. 1.173(c)

Box Reissue
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicants note that the status of the claims as of the date of the filing of the reissue application is as follows:

With the entry of the preliminary amendment cofiled herewith, claims 1-83 are pending. Claims 1-55, which are patent claims from U.S. Patent 5,961,672, on which this reissue application is based, remain in the application. Claims 56-83 are added by amendment at the time of the filing of the reissue application.

Claims 56-83 are added to obtain broader claims, which the patentee had the right to claim. Support in the disclosure for claims 56-83 may be found throughout the specification, drawings and claims of the disclosure of U.S. Patent No. 5,961,672.

Support for claim 56 is found in U.S. Patent No. 5,961,672 (U.S. '672) at col. 2, lines 38-55; col. 3, lines 48-54; col. 4, lines 51-53; col. 5, lines 30-36; col. 9, lines 31-43; col. 11, line 8, to col. 13, line 9; and claims 16-18, 29-31, and 43-45.

Support for claim 57 is found in U.S. '672 at col. 2, lines 53-54; col. 10, lines 33-55; col. 7, line 64, to col. 8, line 2; col. 9, lines 11-20; col. 11, lines 22-27; col. 11, line 67, to col. 12, line 3; col. 12, lines 21-25 and 56-58; and claims 11, 24, and 38.

Support for claim 58 is found in U.S. '672 at col. 11, line 59, to col. 12, line 12; col. 12, lines 21-47; col. 12, line 50, to col. 13, line 9; and col. 9, lines 31-43.

Support for claim 59 is found in U.S. '672 at col. 2, lines 38-55; col. 5, lines 30-36; col. 6, lines 46-50; col. 10, lines 33-55; col. 10, line 61, to col. 11, line 5; col. 11, lines 8-45; col. 11, line 58, to col. 12, line 12; and col. 12, line 50, to col. 13, line 9.

Support for claim 60 is found in U.S. '672 at col. 2, lines 38-55; col. 3, lines 45-48; col. 4, lines 51-53; col. 5, lines 30-36; and col. 9, lines 21-30.

Support for claim 61 is found in U.S. '672 at col. 9, lines 26-29. Support for claim 62 is found in U.S. '672 at col. 9, lines 26-43. Support for claim 63 is found in U.S. '672 at col. 2, lines 53-54; and col. 10, lines 33-55.

Support for claim 64 is found in U.S. '672 at col. 9, lines 31-43. Support for claim 65 is found in U.S. '672 at col. 2, lines 38-55; col. 5, lines 30-36; col. 6, lines 46-50; col. 10, lines 33-55; col. 10, line 61, to col. 11, line 5; and col. 11, lines 8-45.

Support for claim 66 is found in U.S. '672 at col. 2, lines 38-55; col. 3, lines 48-54; col. 4, lines 51-53; col. 5, lines 30-36; col. 9, lines 31-52; col. 9, line 66, to col. 10, line 5; col. 10, lines 11-21; col. 11, line 8, to col. 13, line 9; and claims 16-18, 29-31, and 43-45.

Support for claim 67 is found in U.S. '672 at col. 2, lines 38-55; col. 3, lines 45-48; col. 4, lines 51-53; col. 5, lines 30-36; and col. 9, lines 21-30 and lines 49-52. Support for claim 68 is found in U.S. '672 at col. 9, lines 26-29. Support for claim 69 is found in U.S. '672 at col. 9, lines 26-43.

Support for claims 70 and 77 is found in U.S. '672 at col. 2, lines 38-55; col. 3, lines 45-59; col. 4, lines 51-53; col. 5, lines 30-36; col. 9, lines 21-53. Support for claims 71 and 78 is found in U.S. '672 at col. 2, line 48; col. 5, lines 30-35; col. 6, lines 32-35; col. 10, lines 33-55; col. 10, line 61, to col. 11, line 5; col. 11, line 8, to col. 13, line 9.

Support for claims 72 and 79 is found in U.S. '672 at col. 3, lines 8-9; col. 6, lines 32-37; col. 10, line 33, to col. 11, line 45. Support for claims 73 and 80 is found in U.S. '672 at col. 3, lines 12-14; col. 6, lines 32-37; col. 10, line 33, to col. 11, line 5. Support for claims 74 and 81 is found in U.S. '672 at col. 2, lines 53-54; and col. 10, lines 33-55. Support for claims 75-76 and 82-83 is found in U.S. '672 at col. 9, lines 21-53.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 344742000530. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: January 24, 2001

By:



Madeline I. Johnston
Registration No. 36,174

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